

DANIEL G. BOGDEN
United States Attorney
CRANE M. POMERANTZ
Assistant United States Attorney
333 South Las Vegas Blvd., Suite 5000
Las Vegas, Nevada 89101
(702) 388-6336

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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LLC WHOLESALE SUPPLY, L.L.C.,)	2:11-CV-01474-JCM-RJJ
)	
PLAINTIFF,)	United States' Motion for Extension of
)	Time
VS.)	
)	
UNITED STATES)	
)	
DEFENDANT.)	
_____)	

The United States, by and through the undersigned, respectfully requests that the Court grant a two (2) week extension to file a response to Plaintiff LLC Wholesale Supply, LLC's ("Wholesale Supply") Motion for Return of Property ("Plaintiff's Motion") (Doc. No. 1). A response currently is due September 30, 2011.

Points and Authorities

In January 2011, United States Magistrate Judge Peggy Leen authorized the search and seizure of items from FMC/Drogueria De La Villa, 4145 Wagon Trail Avenue in Las Vegas, pursuant to a written search warrant. As alleged in the search warrant affidavit, the request for the search warrant arose out of two consolidated investigations by the Food and Drug Administration - Office of Criminal Investigations ("FDA-OCI") relating to a large scale drug diversion operation out of multiple locations in Ponce, Puerto Rico, Arecibo, Puerto Rico, Knoxville, TN, Las Vegas, NV, and Tempe,

1 AZ. Agents obtained and executed search warrants in these districts simultaneously.

2 Counsel for the United States understands that beginning in late July or early August
3 2011, the owners of the locations searched filed motions for return of property pursuant to Rule 41(f)
4 in each of the districts in which a search was executed. The District of Puerto Rico, one of the districts
5 in which this investigation emanated, has taken responsibility for coordinating the response to these
6 motions. The District of Nevada is uninvolved in this investigation other than assisting with the
7 search warrant here.

8 Yesterday, attorneys with the criminal division of the United States Attorney's Office
9 found out about the Plaintiff's Motion for the first time. They promptly reached out to attorneys in
10 the District of Puerto Rico, who confirmed that they intend on preparing a response to Plaintiff's
11 Motion, but would like a brief continuance in order to review the positions taken. Accordingly, the
12 United States respectfully requests that the Court grant a two (2) week extension to respond to
13 Plaintiff's Motion.

14
15 **Conclusion**

16 For all of the foregoing reasons, the United States respectfully requests that the Court
17 GRANT a two (2) week extension for the United States to respond to Plaintiff's Motion.

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19 Respectfully submitted,
DANIEL G. BOGDEN
United States Attorney

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21 /s/ Crane M. Pomerantz
CRANE M. POMERANTZ
Assistant United States Attorney

22 Dated: September 28, 2011.

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24 IT IS SO ORDERED.

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UNITED STATES MAGISTRATE JUDGE